

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 21, 2010 has been received and its contents carefully reviewed.

The Examiner is also thanked for the telephone interview with Applicants' representative on October 21, 2010. More will be said about the interview below.

In the Office Action, claims 1 and 3 are rejected under 35 USC §103(a) for allegedly being obvious over US Patent Publication 20020055610 (herein "Okada") in view of US Patent 6,664,021 (herein "Maeda"). The Applicant respectfully traverses the rejection.

As indicated above, claim 1 has been amended. During the aforementioned interview, the Examiner and the Applicants' representative discussed amended claim 1. Initially, the Examiner requested that the Applicants' representative provide the specification support for the amended limitation, "R₁ and R₂ are not hydrogen atoms at the same time." In response, Applicants' representative referred the Examiner to paragraph [0010] of the specification. The Examiner agreed that the amendment to claim 1 is supported by the specification.

Also during the interview, Applicants' representative explained to the Examiner that Okada fails to teach or suggest the limitation, "R₁ and R₂ are, independent of each other, a hydrogen atom or an organic group having 1 to 20 carbon atoms including one or more ethylenically unsaturated bond(s), provided that R₁ and R₂ are not hydrogen atoms at the same time." More specifically, Applicants' representative pointed out that Formula (III) of *Okada* (see *Okada* ¶ [0037]), in contrast to claim 1, clearly teaches that R₁ and R₂ are simultaneously hydrogen atoms. This being the case, neither R₁ or R₂ include one or more ethylenically unsaturated bonds, as required by claim 1. The Examiner agreed. Furthermore, the Applicants submit that Formula (III) is representative and, therefore, the same as the other formulae disclosed in *Okada* at least with respect to R₁ and R₂.

Next, Applicants' representative explained to the Examiner that U.S. Patent No. 6,664,021 to Maeda et al. (hereinafter "*Maeda*") also fails to teach or suggest the above limitation of claim 1 and thus cannot cure the deficiency of *Okada*. More specifically, Applicants' representative pointed out that while Formulae (7) and (8) of *Maeda* appear to teach

the limitation “R₁ and R₂ are not hydrogen atoms at the same time,” these formulae still fail to teach or suggest that “R₁ and R₂ are, independent of each other, a hydrogen atom or an organic group having 1 to 20 carbon atoms including one or more ethylenically unsaturated bond(s)” as recited in claim 1. Applicants position is supported in that *Maeda* specifically teaches that “R₆ is an alkyl group having 1 to 7 carbon atoms” See *Maeda*, col. 4, lines 29-30, emphasis added. As an alkyl group does not have any unsaturated bond in its structure, R₆ cannot be “an organic group having 1 to 20 carbon atoms including one or more ethylenically unsaturated bond(s)” as recited in claim 1. Again, the Examiner agreed.

In light of the interview discussion, Applicants believe claim 1 is patentably distinguishable over the combined teaching of *Okada* and *Maeda*. While the Examiner did inform the Applicants’ representative that he will have to update his search, the Applicants respectfully request that the Examiner at least withdraw the current rejection of claim 1, as well as claim 3 which depends there from, for the reasons set forth above.

The application is in condition for allowance. Early and favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: October 21, 2010

Respectfully submitted,

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